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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/607,782	06/30/2000	Douglas Raymond Parker	042390.P8837	9577

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EXAMINER

TON, MY TRANG

ART UNIT PAPER NUMBER

2816

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/607,782

Applicant(s)

PARKER ET AL.

Examiner

My-Trang N. Ton

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 21-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-9 is/are allowed.
- 6) ☒ Claim(s) 21-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

In response to Applicant's argument filed on 7/09/04, the rejection made in the last office action on the Bohr et al reference is withdrawn. A new Office action has been made as follows:

Claim Rejections - 35 USC § 112

Claims 21-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 21, it is not clearly understood what is meant by "having a trip point to track a potential on the output node". For example, when and how does "trip point to track a potential on the output node" actually occur? This appears to imply the trip point actually varies with respect to the output potential. However, using the applicant's own Fig. 2 as a reference, how is the trip point of 204 actually changed? As seen in that figure, gain stage 204 would appear to have a SET trip point condition when in normal operation. Thus, the limitation "a gain stage, coupled to the amplifier, having a trip point to track a potential on the output node" is considered misdescriptive.

Claims 22-24 are rendered indefinite by the deficiencies of claim 21.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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After further consideration, the previous rejection under Applicant's Prior Art (Figure 1) is now included. It appears that rejection was inadvertently overlooked. It is now believed these claims are still rejected over Applicant's Prior Art, Figure 1.

Claims 21-22 and 24 remain rejected under 35 U.S.C. 102(b) as being anticipated by the prior art depicted by Applicant's Fig. 1.

The prior art, Fig. 1 disclose a fuse sensing circuit including:

an amplifier (102) having an output node (120); and

a gain stage (104), coupled to the amplifier (102), having a trip point to track a potential on the output node (it is well known to one of ordinary skill in the art that a CMOS inverter (one known type of a gain stage) has a trip point. Since input of the gain stage (104) directly connected to the output 120 of the amplifier 102, the potential on output node so clearly tracks the amplifier output node potential) as recited in claim 1.

Regarding claim 22: the amplifier (102) comprising a sense branch (105) coupled to a reference branch (102) in a current mirror configuration.

Regarding claim 24: first and second voltages (132, 130) each coupled to the amplifier and the gain stage.

Claims 21-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Johnson (U.S Patent No. 6,081,162).

Johnson discloses in fig. 1 a circuit including:

an amplifier (120) having an output node (connected to output of 120); and

a gain stage (128), coupled to the amplifier (120), having a trip point to track a potential on the output node (col. 3, line 36-39 discloses that amplifier 120 operates in a

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closed control loop to ensure that its inverting input 117 exactly tracks the trip point signal at its non-inverting input) as recited in claim 1.

Regarding claim 22: the amplifier (120) comprising a sense branch (i17, i19) coupled to a reference branch (i16, i20) in a current mirror configuration (see Fig. 3).

Regarding claim 23: the gain stage (128) comprising a scaled replica (i3, i1, i2, Fig. 2) of the reference branch (i16, i20, i26) or the sense branch (i17, i19, i26, Fig. 3).

Regarding claim 24: first and second voltages (Vdd and Ground) each coupled to the amplifier and the gain stage.

Allowable Subject Matter

Claims 1-9 are allowable over the prior art of record.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to My-Trang N. Ton whose telephone number is 571-272-1754. The examiner can normally be reached on 7:00 a.m - 5:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Callahan can be reached on 571-272-1740. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "my-trang nutton", with a stylized flourish at the end.

MY-TRANG NUTTON
PRIMARY EXAMINER

September 26, 2004